# DECLARATION OF PETITIONER

I, Felix Sanchez, hereby declare the following:

1. I am thirty-six years old and I have been detained by ICE at the Bergen County Jail since February 11, 2019. Before ICE arrested me, I was living with my parents and siblings at our family home in Bay Shore, New York.

2. I was diagnosed with Mycosis Fungoides, a type of cancer, on August 2, 2019. In addition to cancer, I have anxiety, ADHD, and post-traumatic stress disorder.

3. After I was diagnosed with cancer, my doctors at New Bridge Medical Center made a treatment plan for me including a steroid cream and radiation phototherapy three times per week. My doctor told me that the steroid cream should not be used for more than a few weeks because it thins out my skin too much and increases my risk of infection.

4. It took many months for ICE and the Bergen County Jail staff to provide me with the radiation treatment for my cancer. I requested the treatment many times; my doctors even wrote a letter for me explaining why the treatment was so important. The delay was very upsetting and scary for me because I knew that the cancer was spreading. I could physically see the rash cover more and more of my body. The rash itched a lot. If my cancer isn't treated properly, it could reach my blood stream and internal organs.

5. In January 2020 I finally started getting my phototherapy treatment at a local dermatology office near Bergen County Jail. I am supposed to get the treatment three times per week. When I go for my treatment, I am placed in wrist, waist, and ankle shackles and am driven to the medical office. The shackles are taken off once I am outside of the radiation booth. I also have to remove all my clothing before getting into the booth.

6. Once I started the radiation therapy, I noticed that my skin rash was shrinking and becoming a lighter color. My dermatologist told me that meant the treatment was working.

7. The radiation dries out my skin, so it cracks. Sometimes it bleeds. This is painful, and I worry that cracks in my skin will expose me to an infection. The soap that Bergen gives us makes my skin crack even more, so I have to buy a moisturizing soap and lotion at commissary.

8. Around the first week of March, Bergen staff stopped bringing me to my radiation treatment. No one told me why I was no longer getting my treatment or how it would impact my cancer's progression. I have not spoken to my dermatologist, any member of my oncology team at New Bridge Medical Center, or a physician since early March.

9. I have tried asking nurses at Bergen about my cancer treatment. They have told me that they were too busy because of the pandemic and that no one is coming in and out of the jail.

10. In mid-March, an ICE officer named Officer Rosario came through our housing unit. I told her that I have cancer and am not getting my treatment. She said she would look into it for me, but I never received any information.

11. I can see my cancer spreading again. I noticed that my skin rash has gotten darker in color since I stopped receiving treatment. It is itching a lot again. I'm really worried that it will enter my blood stream or internal organs. I'm scared because I'm not getting my cancer treatment, and no one will give me any information about my condition or when I will get my next treatment.

12. Since I was detained in February 2019, I have been transferred housing units numerous times. I was initially in housing unit South 2, then was transferred to North 1 during the mumps outbreak this past summer. After that, I was moved to South 8, but was sent to South 4 for about two weeks when the air conditioning unit broke during the middle of the summer. Then I was moved to South 7. On March 5, I was suddenly transferred to Central 4. Central 4 was a dorm unit with multiple bunk-beds close together in one common space. I think there were about 60 men in the unit while I was there.

13. On March 16, I was transferred to unit North 6 and placed in cell number 213 with another man. After I was transferred to North 6, Bergen started locking us in our cells for 23.5 hours every day. We are permitted out of our cells for 30 minutes each day, in groups of four. During this 30 minute period, I shower, use the phone to call my family and attorney, order items from commissary using a shared kiosk, and use the microwave to heat up food.

14. There are a lot of shared surfaces that I can't avoid touching, and we aren't given gloves to protect us. For example, we use the same kiosk to order items from commissary, use the same tables in the common area, and the same microwaves to heat up food. These surfaces are not disinfected between use.

15. There are two shower areas in my housing unit – one on the top floor and one on the lower floor. That means half the unit touches the same faucets, knobs, and surfaces in their shower area.

16. There are 5 phones in my housing unit. During the 30 minute period, everyone out of their cell is using the phones to make calls. Since the phones are next to each other, it's impossible to stay six feet apart from each other while on the phone. The phones are not cleaned between use, or even between each group of four people. There are no wipes or other cleaning supplies we can use to clean the phones.

17. When my attorney arranges for a legal call with me, I use a phone in the hallway outside of my housing unit; there are no wipes or other way to clean that phone between uses.

18. I was given one cloth surgical mask on April 9, after a lot of men in my unit had already had symptoms of the coronavirus. They didn't give us any detergent to wash the mask or give us any instructions about how to wear the mask. I haven't received a new mask.

19. I also haven't been able to access the law library since the pandemic started.

20. I am terrified that I will die if I get the coronavirus because I have cancer and a compromised immune system. I am trying everything I can think of to improve my immune system. I bought vitamins at commissary. Whenever we get an orange with our meals, I boil the orange peel in water so I can drink the extra nutrients. I don't know what else I can do. I feel like I was left here to die, from the coronavirus or from my cancer.

21. If I am released from detention, I will return to live with my parents in our family home in Bay Shore, New York. There is a separate basement unit that I can use to quarantine myself. My sister is a nurse so she can help care for me. I will comply with any conditions of release the court decides are necessary.

I, Felix Sanchez, do declare under penalty of perjury, pursuant to Title 28, Section 1746 of the United States Code, that the foregoing is true and correct to the best of my knowledge. Because of the coronavirus I am unable to sign this declaration in person. I spoke to my attorney Brittany Castle on the phone who read this to me. I authorize her to sign my name electronically.

Dated: April 18, 2020 Felix Sanchez
Hackensack, New Jersey

I, Brittany Castle, declare under penalty of perjury that I read the foregoing to Felix Sanchez over the telephone and he gave me permission to sign his name electronically.

Dated: April 18, 2020
Macungie, Pennsylvania /s/Brittany Castle
Brittany Castle, Esq.